

United States District Court

for the
Western District of New York

United States of America

v.

Case No. 18-MJ-1182

ALEXANDRA SELANDER

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of October 23, 2018, in the County of Niagara, in the Western District of New York, the defendant, an alien, did knowingly attempt to enter the United States after having been previously deported or removed from the United States, without permission from the United States Attorney General or his successor, the Secretary for Homeland Security, in violation of Title 8, United States Code, Section 1326(a)(2).

This Criminal Complaint is based on these facts:

☒ Continued on the attached sheet.



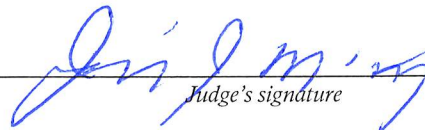
Complainant's signature

MARK E. JANN
ENFORCEMENT OFFICER
U.S. CUSTOMS AND BORDER PROTECTION

Printed name and title

Sworn to before me and signed in my presence.

Date: October 33, 2018



Judge's signature

City and State: Buffalo, New York

JEREMIAH J. McCARTHY
UNITED STATES MAGISTRATE JUDGE

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

STATE OF NEW YORK)
COUNTY OF NIAGARA) SS:
CITY OF NIAGARA FALLS)

MARK E. JANN being duly sworn deposes and states:

1. I am an Enforcement Officer with United States Customs and Border Protection (“CBP”), within the Department of Homeland Security (“DHS”), and have been so employed for the past 21 years. In such capacity, my duties include investigating persons who have violated federal immigration laws and other related federal statutes.

2. As part of my current duties, I have become involved in an investigation of suspected violation of Title 8, United States Code, Section 1326(a)(2).

3. I make this affidavit in support of the annexed criminal complaint charging Alexandra SELANDER, hereinafter referred to as “the defendant,” an alien, born in 1995, in Ukraine, a citizen of Sweden with attempting to enter the United States without the expressed consent of the Attorney General of the United States or the Secretary of Homeland Security after having been deported or removed from the United States, in violation of Title 8, United States Code, Section 1326(a)(2).

4. This affidavit is being submitted for the limited purpose of securing a Criminal Complaint. I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the Defendant did knowingly violate Title 8, United States Code, Section 1326(a).

5. The Department of Homeland Security is an agency within the executive branch of the government of the United States, and is the agency responsible for making the determination to admit an applicant to the United States. Information concerning an applicant's true identity, immigration status, criminal history, and prior immigration history, such as prior removals, visa refusals, and entries, are matters material to an admissibility determination.

6. On Tuesday, October 23, 2018, CBP Officer Paul Bucholtz was assigned to auto primary inspection at the Niagara Falls, New York, port of entry in the Western District of New York. At approximately 12:05 am, Officer Bucholtz encountered the Defendant, who was attempting to enter the United States as a pedestrian. The Defendant presented a Swedish passport and claimed to be traveling to the casino in Niagara Falls, New York for one day. The defendant was then referred to secondary for further processing.

7. In secondary, CBP Officer Sheryl Hollwedel conducted routine record checks which resulted in positive response indicating the defendant had been ordered removed

Nationality Act. Further record checks found that the defendant had been physically removed from the United States to Sweden on July 18, 2018, aboard Scandinavia Airlines, flight 946. Additional record checks found that the Defendant had been denied Electronic System Travel Authorization (ESTA) on September 11, 2018.

8. CBP Officer Philip Stern conducted a scan of the defendant's fingerprints which resulted in a positive match to Fingerprint Identification number ('FIN') 1199747173, FBI number MACL3M9T7, and Alien Registration number 208972639.

9. At approximately 2:20 am, CBP Enforcement Officer Matthew Sundlov advised the defendant of her Miranda rights in the presence of CBP Officer Sheryl Hollwedel. The Defendant stated that she understood her rights, and agreed to answer questions without an attorney present. During questioning, the defendant stated that she is a citizen of Sweden, who entered the United States on May 17, 2017, and had authorization to stay until August 14, 2017. The Defendant stated Immigration Agents arrested her while on or about April 27, 2018. The Defendant admitted she was physically removed from the United States on or about July 18, 2018. She stated that she attempted to obtain Travel Authorization (ESTA) to return to the United States, but that this application was denied on September 11, 2018. The Defendant admitted that she was attempting to enter the United States today to travel to New York City to work.

10. CBP Enforcement Officer Mark Jann received electronic copies of documents contained in the defendant's Alien File from the National Records Center located in Lee

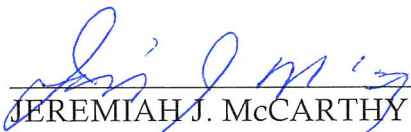
Summit, Missouri. These documents show the Defendant had previously been ordered removed from the United States, and removed to Sweden via Chicago International Airport on or about July 18, 2018, and barred from returning to the United States for ten years. Record checks failed to show that any permission to enter the United States had been applied for or received by the defendant.

WHEREFORE, I respectfully submit the foregoing facts to establish probable cause to believe that on or about October 23, 2018, Alexandra SELANDER was attempting to enter the United States after having been previously deported or removed from the United States, without permission from the United States Attorney General or his successor, the Secretary for Homeland Security, in violation of Title 8, United States Code Section 1326(a)(2).



MARK E. JANN
Enforcement Officer
U.S. Customs and Border Protection

Sworn to before me this
23rd day of October, 2018.



JEREMIAH J. MCCARTHY
United States Magistrate Judge